THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.26003 OF 2005

Dt.7.12.2005

Between:

M.Gangadhar … Petitioner

And

The Government of India, rep. by

Secretary, Ministry of Steel and Mines,

Shastri Bhavan, New Delhi and 3 others. … Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned counsel appearing on behalf of the respondents.

The petitioner submits that in the year 1962 one A.Subramanya Shetty was granted mining lease for Grey Barytes for a period of 20 years in his patta land over an extent of 0.23 hects in P.No.24 of Mangampet Village, Obulavari palle Mandal, Kadapa District and after his death the petitioner has succeeded to the mining lease. Before the expiry of the lease, first renewal was granted for a period of 20 years from 31.10.1982 to 30.10.2002 and the petitioner operated the mining during the said period. It is stated that the petitioner submitted second renewal application on 30.10.2001 after completing all the formalities. But, the Assistant Director of Mines and

Geology, 4th respondent herein issued a letter dated 3.10.2002 requesting the petitioner to submit the approved mining plan to process the renewal application. Accordingly, the petitioner submitted the approved mining plan on 2.8.2002 along with five sets, which was approved by the Department on 4.9.2002. But, ultimately, the said renewal application of the petitioner has been rejected by impugned memo dated 1.1.2004 by the 2nd respondent. Against which the petitioner filed a revision under Section 30 of the Mines and Minerals (Development and Regulation) Act, 1957 and Rule 54 of Mineral Concession Rules, 1960 before the first respondent on 4.2.2004. It is stated that the said revision has been disposed of so far.

Having regard to the facts and circumstances of the case, as already one and half year has been elapsed, I am of the opinion that it is just and proper to direct the revisional authority to consider and dispose of the said revision filed by the petitioner on 4.2.2004. Accordingly, the first respondent is directed and dispose of the revision filed against the order of the 2nd respondent after giving reasonable opportunity to the petitioner within eight weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

(V.ESWARAIAH, J.)

7.12.2005

Note: Issue copy within two days

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